

REMARKS

Claims 1-21 are pending in the application. In the Office Action of July 26, 2010, all claims are rejected. With this paper, claims 1-5, 7-14, 17-18 and 21 are amended. Claims 6, 15, 16, 19 and 20 are canceled. No new claims are added. Support for the foregoing amendments can be found throughout the specification, drawings and claims as originally filed. No new matter has been introduced with the amendment. The Office is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

Drawings

The drawings are objected to for the reasons stated on page 2 of the Detailed Action. With this paper, 3 pages of replacement drawing sheets are submitted. Entry of the replacement drawings is respectfully requested.

Claim Rejections under 35 USC §101

Claims 1-8 and 15-18 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. In particular, the Office asserts that the claims limitations are directed towards functions and functional interfaces of a subsystem, and the functions and interfaces between the claimed functions can be implemented solely as software per se.

With this paper, claim 1 is amended to incorporate limitations of claim 6, and claims 6, 15 and 16 have been canceled.

The features of claim 6, i.e. “wherein the A-ACF, I-ACF, A-RCF and C-RCF are logical functional entities, which are separate physical devices or functional modules integrated in other physical devices” clearly indicate that the claimed functions are based on hardware structures and not pure software per se.

Therefore, Applicant respectfully submits that the amended claims 1-5, 7, 8 and 17-18 satisfy at least one of the requirements of 35 U.S.C. §101.

It is believed that the amendment is sufficient to overcome all the reasons for the rejection. Accordingly, applicant respectfully requests the 35 U.S.C. §101 rejection be

reconsidered and withdrawn.

Claim Rejections under 35 U.S.C. §112

1. Claims 1-8 and 15-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

With this paper, claims 1-5, 7, 8 and 17-18 have been amended , and claims 6, 15 and 16 have been canceled.

Specifically, regarding claim 1, the references to “the media flow” in line 31 and line 41 is replaced by “the application service media flow” and “the cross-operator application service media flow,” respectively. “A resource reservation request” in lines 2-3 and 9-10 are differentiated as “a first” and “a second” as requested by the Office. The terms “the network,” “the access network,” “the core network,” and “the core networks” in the claim are amended to clarify their relations with the NGN.

Applicant has also amended claim 1 to include part of the elements of claim 2. The term “the resource reservation request” in line 7 and 17 of original claim 2 are replaced by “a first transport resource availability check request” and “a second transport resource availability check request,” respectively.

Claim 3, 7, 8, 17 and 18 are amended as requested by the Office as well.

2. Claims 9-14 and 19-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

In response to this rejection, claims 9-14 have been amended to more clearly claim the invention and provide appropriate antecedent basis. Claims 19 and 20 have been canceled.

Specifically, regarding claim 9, the term “the check result of transport resource availability” in lines 11-12 and lines 17-18 is replaced by “a first check result of transport resource availability” and “a second check result of transport resource availability,” respectively.

Regarding claim 12, the term “a resource reservation request” in line 4 is replaced by “a second resource reservation request”, to clarify this request is a different one than the resource reservation request in claim 9, line 3.

Claim 13 is amended as requested by the Office. However, the Office asserts that there is lack of antecedent basis for “the application service control function”. Applicant respectfully disagrees. This term refers back to line 27 of claim 9.

Claim 14 is amended as requested by the Office as well.

3. Claim 21 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

Claim 21 has been amended to more clearly claim the invention and provide appropriate antecedent basis. Specifically, “the resource reservation request” in line 5 and lines 11-12 are differentiated as requested by the Office. The acronym NGN is defined.

It is believed that the above-mentioned claim amendment is sufficient to overcome all the reasons for the rejections. Accordingly, applicant respectfully requests the above rejections under 35 U.S.C. §112, second paragraph, be reconsidered and withdrawn.

Claim Rejections under 35 U.S.C. §103

Claims 1, 3, 5, 6 and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant’s Admitted Prior Art (Pub. No.: US 2009/0116382 A1, AAPA hereinafter) in view of Chakravorty et al. (“Dynamic SLA-Based QoS Control for Third Generation Wireless Networks: The CADENUS Extension”, CUE hereinafter).

Claim 4 and 7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of CUE and further in view of Bodin et al. (Pub. No.: US 2006/0036719 A1, Bodin hereinafter)

In the rejected claims, claims 1 and 21 are independent.

Amended claim 1 recites (emphasis added):

“a Resource Control Function in access network (A-RCF), configured to check the transport resource availability in accordance with a first transport resource availability check request from the A-ACF, perform checking and resource allocation on the basis of a resource status database, update the resource allocation status, and return a first check result of the transport resource availability;” and

“a Resource Control Function in core network (C-RCF), configured to check the transport resource availability in accordance with a second transport resource

availability check request from the A-ACF or the I-ACF, perform checking and resource allocation on the basis of the resource status database, update the resource allocation status, and return a second check result of the transport resource availability”.

The Office relies on paragraphs [0004], [0005], [0007] and [0010] of the Pre-Grant Publication US 2009/0116382 A1 as the AAPA. However, the AAPA merely discloses that the resource and admission control subsystem (RACS) provides admission control and gate control functions. The cited portions and other portions of the publication do not disclose the above-highlighted distinguishing features set forth in claim 1 as amended.

CUE discloses dynamic SLA-Based QoS control for third generation wireless networks. Bodin discloses resource management in a data network having a layered network architecture. Applicant respectfully submits that none of these secondary references cures the deficiencies of the AAPA. Thus, the combination of AAPA and CUE, even with Bodin considered, does not teach or suggest each and every limitation of the amended claim 1. Therefore, the amended claim 1 is patentable over AAPA in view of CUE under 35 U.S.C. §103(a).

Based on the same reasons as above, the amended claim 21 is also patentable, because it recites same distinguishing features corresponding to that of the amended claim 1. Claims 3-5 and 7 depend from claims 1. Therefore, claims 3-5 and 7 are also patentable under 35 U.S.C. §103(a). Withdrawal of the rejections under 35 USC 103(a) is respectfully requested.

Conclusion

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Thus, prompt and favorable consideration of this application is respectfully requested. If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner’s Amendment, the Examiner is respectfully requested to contact the undersigned at the email address indicated below.

A petition for one-month time extension with fee payment under 37 FRC 1.17(a) is submitted with this paper. The Office is hereby authorized to charge any other unpaid fees deemed required in connection with this submission or to credit any overpayment,

to Deposit Account No. **50-4983**.

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Customer No. 97291
Huawei Technologies Co., Ltd.
IPR Dept.
Building B1-3-A
Huawei Industrial Base
Bantian, Shenzhen 518129, CHINA

Direct Dial: +86-755-28789664
Fax: +86-755-28787222
Email: shiming.wu@huawei.com

Respectfully submitted,

/Shiming Wu/
By: _____
Shiming Wu
Agent for the Applicant
Registration No. 56,885